

1 H. TIM HOFFMAN, SBN 49141
2 ARTHUR W. LAZEAR, SBN 83603
3 MORGAN M. MACK SBN 212659
4 **HOFFMAN & LAZEAR**
180 Grand Avenue, Suite 1550
Oakland, CA 94612
Telephone: (510) 763-5700

5 CHRISTIAN HARTLEY(*pro hac vice*)
6 DAN BRADLEY (*pro hac vice*)
7 **RICHARDSON, PATRICK,**
8 **WESTBROOK & BRICKMAN, LLC**
174 E. Bay Street
Charleston, SC 29401
Telephone: (843) 727-6564

9 TOM CAMPBELL (*pro hac vice*)
10 D. KEIRON McGOWIN (*pro hac vice*)
11 **CAMPBELL LAW**
12 **A PROFESSIONAL CORPORATION**
100 Concourse Parkway, Suite 115
Birmingham, AL 35244
Telephone: (205) 278-6650

13 Attorneys for Plaintiff

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 RONALD KRZYZANOWSKY AND ILEANA
17 KRZYZANOWSKY, on behalf of themselves and
all others similarly situated,

18 Plaintiffs,

19 vs.
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21 ORKIN EXTERMINATING COMPANY, INC.;;
22 ROLLINS, INC.,

23 Defendants.
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Case No. C07-05362 (SBA) (EL)

**NOTICE OF MOTION AND
MOTION TO COMPEL RESPONSES**

1 TO THE COURT AND ALL INTERESTED PARTIES:

2 PLEASE TAKE NOTICE THAT on October 14th, at 1:00p.m. or as soon thereafter as counsel
3 may be heard, in the Courtroom of The Honorable Sandra B. Armstrong, United States District Court
4 for the Northern District of California, Plaintiffs RONALD KRZYZANOWSKY and ILEANA
5 KRZYZANOWSKY (herein "Plaintiffs"), will and hereby do respectfully move the Court to compel
6 Defendants ORKIN EXTERMINATING COMPANY, INC. and ROLLINS, INC. Specifically, the
7 plaintiffs respectfully request that the Court to order Defendants to fully answer propounded discovery
8 requests; and to provided requested document for the relevant time periods as detailed in the attached
9 memorandum in support..

10 The parties make this Motion on the grounds that the requested discovery is needed to
11 determine the applicability of any defenses raised by the defendants, the scope of the Plaintiffs' claims
12 and in order to make determinations as to the relevant class for the relevant time periods.

13 This Motion is based upon this Notice of Motion and Motion to Compel Responses to
14 Plaintiffs' First Set of Interrogatories and Plaintiffs' first Set of Requests for Production, the
15 Memorandum of Points and Authorities in Support Thereof, the Declaration of Daniel Bradley, any
16 oral argument of counsel, the complete files and records in the above-captioned matter, and such
17 additional matters as the Court may consider.

18 Respectfully submitted,

19 DATED: September 9, 2008

HOFFMAN & LAZEAR

20 By: /s/ H. Tim Hoffman
21 H. TIM HOFFMAN
22 Attorneys for Plaintiffs
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